



OPY OF PAPERS  
ORIGINALLY FILED

IN THE U.S. PATENT AND TRADEMARK OFFICE

Appn. Name: John A. Macoviak  
Appn. Number: 09/666,617  
Filing Date: September 20, 2000  
Appn. Title: Heart Valve Annulus Device and Method of Using Same  
GAU: 3738  
Examiner: Alvin J. Stewart  
Docket Number: CONFO.49060

DB  
3-13-02  
HJ

Mailed: February 14, 2002  
at Sunnyvale, CA

**PROVISIONAL ELECTION**

Commissioner of Patents and Trademarks  
Washington, District of Columbia 20231

Sir:

This election is in response to the Office Action mailed January 14, 2002.

**Provisional Election:**

Applicant provisionally elects to prosecute Group I, Species I, Figures 1-4, including claims 1-27 and 36-49. This election is made with traverse. Currently, several of these claims are generic to the various species.

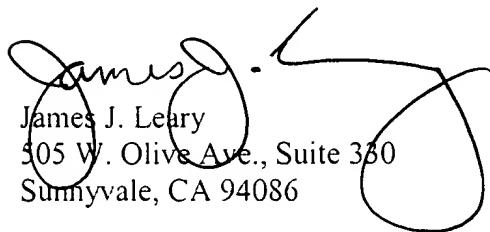
*which ones?*

**CONCLUSION**

For all the reasons above, Applicant submits that the claims all define novel subject matter that is nonobvious. Therefore, allowance of these claims is submitted to be proper and is respectfully requested.

Applicant invites the Examiner to contact Applicant's representative as listed below for a telephonic interview if so doing would expedite the prosecution of the application.

Very respectfully submitted,

  
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